

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00422

**Cecil David Gibson,**

*Plaintiff,*

v.

**Maxey Cerlano, et al.,**

*Defendants.*

**ORDER**

On July 31, 2020, plaintiff Cecil David Gibson, proceeding pro se and in forma pauperis, filed this civil rights lawsuit pursuant to 42 U.S.C. § 1983. Doc. 1. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 3.

On August 4, 2020, the magistrate judge instructed plaintiff to file an amended complaint. Doc. 5. Plaintiff failed to do so. On September 18, 2020, Judge Mitchell entered a report recommending that plaintiff's case be dismissed without prejudice for want of prosecution and failure to obey an order. Doc. 10.

The plaintiff did not file any objections to the report. When a party fails to object to a magistrate judge's report, the court reviews the record only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996).

Finding no clear error in the report, the court **accepts** the magistrate judge's findings and recommendation. This action is **dismissed without prejudice**.

*So ordered by the court on October 30, 2020.*

  
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J. CAMPBELL BARKER  
United States District Judge